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Attorney for Defendant/Crossclaimant
Costco Wholesale Corporation

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * * *

JENNIFER ERNST,

CASE NO. 2:21-cv-2048

Plaintiff,

v.

IGLOO PRODUCTS CORP.; a Foreign
Corporation; COSTCO WHOLESALE
CORPORATION dba COSTCO
WHOLESALE 685; a Foreign Corporation;
DOES I through X, inclusive, and/ ROE
CORPORATIONS XI through XX, inclusive,

**PETITION FOR REMOVAL OF CIVIL
ACTION**

Defendants.

COSTCO WHOLESALE CORPORATION,

v. Crossclaimant,

IGLOO PRODUCTS CORP., DOES I
through X and ROE CORPORATIONS I
through X,

Crossdefendants.

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PETITION FOR REMOVAL OF CIVIL ACTION

TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA:

Petitioner COSTCO WHOLESALE CORPORATION (hereinafter "Petitioner"), a Washington Corporation respectfully shows:

1. Petitioner is the Defendant in the above-entitled action;

2. On October 20, 2021, an action was commenced against Defendant/Petitioner COSTCO WHOLESALE CORPORATION and is now pending in the District Court, Clark County, Nevada as Case No. A-21-842933-C. Process of Service was served upon Defendant/Petitioner on October 25, 2021. Copies of the Complaint and Summons are attached hereto as Exhibits "A" and "B" respectively;

3. This Notice is timely filed pursuant to 28 U.S.C. §1446(a) and (b);

4. Defendant/Petitioner is informed and believes and thereon alleges that there has been no further proceedings or papers filed in said action;

5. This action is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C.A. §1332 and is one which may be removed to this Court by Defendant/Petitioner pursuant to the provisions of 28 U.S.C.A. §1441(a)(b) in that it is a civil action which allegedly arises out of a dispute involving diverse parties where the amount in controversy exceeds the sum or value of \$75,000.00 due to the Plaintiff undergoing ongoing medical care from a September 23, 2020 incident resulting in injuries. The injuries alleged by Plaintiff include a severe, crushing finger injury. She has thus far incurred material past medical bills, past pain and suffering and has made further allegations of damages. Plaintiff has claimed in excess of \$15,000.00 in damages in the Complaint since this is the state court jurisdictional threshold. This Plaintiff likely has past medical bills alone in excess of \$15,000.00, plus a claim

1 of past and future pain and suffering, medical care and a possible wage loss. All of this resulted
2 after the subject accident and this Court has original jurisdiction over the claims set forth in
3 Plaintiff's Complaint.

4
5 6. A copy of Defendant/Petitioner's Notice of Removal of the above-entitled action
6 to the United States District Court for the District of Nevada, together with copies of the
7 Summons and Complaint have been deposited with the Deputy Clerk in the Clerk's office for
8 the Eighth Judicial District Court of the State of Nevada on November 15, 2021. (*See*, copy of
9 Notice of Filing Notice of Removal attached hereto as Exhibit "C");

10
11 7. Copies of all pleadings and papers served upon Defendant in the above-entitled
12 action are filed herewith; and

13 8. This Petition is filed with the Court within thirty (30) days after receipt by
14 Defendant/Petitioner herein of the Complaint in the above-entitled action.

15 WHEREFORE, Defendant/Petitioner prays that the above-entitled action be removed
16 from the Eighth Judicial District Court of the State of Nevada in and for the County of Clark to
17 this Court.

18
19 DATED this 15th day of November, 2021.

20 OLSON CANNON GORMLEY & STOBERSKI

21
22 /s/ Michael A. Federico, Esq.
23 MICHAEL A. FEDERICO, ESQ.
24 Nevada Bar No. 005946
25 9950 West Cheyenne Avenue
26 Las Vegas, Nevada 89129
27 Attorneys for Defendant
28 *Costco Wholesale Corporation*

AFFIDAVIT OF MICHAEL A. FEDERICO, ESQ.

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

MICHAEL A. FEDERICO, ESQ., being first duly sworn deposes and says:

1. That your affiant is an attorney duly licensed to practice law in the State of Nevada and in the United States District Court, District of Nevada, and that he is a member of the law firm of OLSON CANNON GORMLEY & STOBERSKI, maintaining offices at 9950 West Cheyenne Avenue, Las Vegas, Nevada 89129;

2. That your affiant is the attorney for Defendant COSTCO WHOLESALE CORPORATION and makes this affidavit on behalf of the Defendant herein and that affiant has prepared and read the foregoing notice and knows the matters set forth and contained therein to be true and correct to the best of affiant's knowledge and belief;

3. Your affiant further states that on November 15, 2021, through staff he caused to be filed with the Clerk of the Eighth Judicial District Court, a copy of Defendant's Petition for Removal of Civil Action of the above-entitled action to the United States District Court for the District of Nevada at Las Vegas, together with all exhibits, by depositing such copies with the Deputy Clerk in the Clerk's office for the Eighth Judicial District Court of the State of Nevada at the office of the County Clerk, Clark County Courthouse, Las Vegas, Nevada 89101; and

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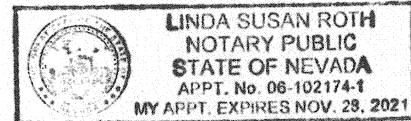
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MICHAEL A. FEDERICO, ESQ.

Subscribed and sworn before me
this 15th day of November, 2021.

NOTARY PUBLIC in and for said
County and State



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of November, 2021, I sent a true and correct copy of the above and foregoing **PETITION FOR REMOVAL OF CIVIL ACTION** to the parties listed below through the CM/ECF system of the United States District Court for the District of Nevada (or, if necessary, by U.S. Mail, first class, postage pre-paid), upon the following:

Bradley J. Myers, Esq.
Michael C. Kane, Esq.
Brandon A. Born, Esq.
The702Firm Injury Attorneys
400 S. 7th St., 4th Flr.
Las Vegas, NV 89101
(702) 776-3333
Attorneys for Plaintiff


An Employee of OLSON CANNON GORMLEY & STOBERSKI

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